

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

June 16, 1997

A. CALL TO ORDER

The June 16, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Deputy Charlie Brown, of the DeSoto County Sheriff's office was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
Deputy Charlie Brown-----Deputy
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. KATHY WHITE - LOCAL FUNDING FOR STATE EMPLOYEE

Kathy White, Director of the Department of Human Services and Ramona Bearden, District 1 Social Work Supervisor of the MS State Department of Health appeared before the Board of Supervisors and explained that seven years ago the MS State Department of Health and the Department of Human Services went into partnership to assist pregnant women in getting on Medicaid. The salary of the eligibility worker associated with the program was shared by both departments. According to Ms. Bearden, the Health Department nurses and nurse practitioners can see women with "normal" pregnancies. However, women in "high risk" pregnancies need to see a doctor. Often, this is not an option until an avenue for payment to the doctor is established. Because these women are pregnant, there is a need to rush these cases through the system. Ms. White asked that the County to pick up the State's portion of the funding in the amount of \$1,074.00 per month. Ms. White said that DHS would fund the other portion of the position. Ms. White further explained that the person in this position took an average of 73 applications per month. Ramona Bearden said the Health Department stands behind the need for this program and also said she does not know how the upcoming Health Max will affect this program.

Item C., Continued,

Supervisor Eugene Thach said he is aware that the State and Federal governments are trying to balance their budgets, but said he feels that Medicare and Medicaid programs should be funded by the State government. Supervisor Thach said he realizes this is a good cause and reminded the Department that the County provides support in the amount of \$238,850.00 per year to their department. Kathy White said she appreciates the County's support, and informed the Board of Supervisors that she has already gone to other sources for the funding before she came to the County.

County Administrator Clovis Reed suggested Kathy White ask the Board of Supervisors to add this request to the Legislative Wish List. Kathy White said that would be a good long term fix, but would not be feasible for the short term fix necessary to continue the program.

Supervisor Jessie Medlin asked for clarification that this position handles 173 patients monthly and that the request for funding is in the amount of \$12,800.00 per year. Kathy White said this position processes 373 applications per month.

Supervisor Tommy Lewis said he is also bothered that the burden is being shifted to the local government, but feels the Board of Supervisors should talk to the Legislature about this need.

Supervisor John Caldwell said he agrees with Supervisor Thach and said the County is tied to property tax. Supervisor Caldwell asked if the Department of Human Services contribution is contingent on matching funds. If not, perhaps a part time position can be approved for these duties. Kathy White said their funds are contingent on other funds, and they are not allowed part time employees.

Ramona Bearden said they will continue to work on these cases and thanked the Board of Supervisors for their support.

Supervisor Eugene Thach made the motion to deny this request for funds based on the fact the County is not responsible for this program. Supervisor Tommy Lewis seconded the motion. The **motion passed** by a unanimous vote. **See Exhibit C.**

D. GEORGE GARVIN - CIVIC CENTER MARKETING PROPOSALS

On May 19, 1997, George Garvin was asked to recommend firms to do a feasibility study of the Civic Center project. Mr. Garvin has narrowed the search to four firms from which the Board of Supervisors can choose. Mr. Garvin presented information from each company including Hunter Interests, Inc.; Conventions, Sports & Leisure; Arthur Anderson; and Coopers and Lybrand. Mr. Garvin said, based on the information gathered, he recommends hiring Hunter Interests, Inc to complete the study. Mr. Garvin said it is the opinion of the Visitors Bureau that the funding for the study come from the tourism tax as there are adequate funds to do so and the need is great for the study.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to take the recommendation of Mr. Garvin under advisement for Hunters Interest, Inc. to do the feasibility study of the Civic Center. The **motion passed** by a unanimous vote. **See Exhibit D.**

E. MARTHA GATLIN/JOYCE ALEXANDER - DESOTO BEAUTIFUL

Joyce Alexander and Martha Gatlin appeared before the Board of Supervisors on behalf of DeSoto Beautiful. Ms. Alexander said that DeSoto Beautiful began working with Champion Paper Company in April 1996, and presented a plaque to the Board of Supervisors indicating DeSoto County has been awarded the honor of 2nd Place in the State for their efforts. Ms. Alexander said DeSoto Beautiful appreciates the support of the Board of Supervisors and stated their commitment to continue with this effort in the future.

F. KENNY GUNN

1. Equipment Purchases

The Road Manager, Kenny Gunn appeared before the Board of Supervisors and requested authorization to advertise for bids for the following equipment:

1. One or more dump trucks to replace the one hit by the train;
2. One or more boom trucks. The present truck is working. Mr. Gunn estimates the cost of the truck to be near \$60,000.00;
3. One or more straw blowers. The present straw blower is a landscape blower and not built for use on the roads;
4. One or more backhoes;
5. One or more pull mowers. The mower recently purchased is doing a good job. The Road Manager recommends phasing out the small mowers and replacing them with the pull mowers.
6. One or more tractors with boom mowers;
7. One or more tractors;
8. One or more road motor graders;

The Road Manager said this equipment is all replacement and not additional purchases. Mr. Gunn said that unless there is a major breakdown, all roads should be mowed by the end of the week. Supervisor Tommy Lewis said he does not like the spray. Supervisor John Caldwell and Supervisor Eugene Thach said they do like the spray.

Supervisor John Caldwell said he recommends bidding out in quantities of one, rather than multiples. Supervisor Jessie Medlin asked if there are people to run all of this equipment? Mr. Gunn said he is trying to keep an adequate number of employees.

Mr. Gunn said other counties have been successful in participating in a program which includes running equipment two years and selling it and getting an impressive return on the money. The County Administrator said he agrees with participation in this practice and said the key to its success is taking care of the equipment.

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to go out for bids for the equipment as recommended by the Road Manager. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----No
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Yes
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

Item F., Continued,
2. Gwynne Road (Remove Curves Between Starlanding and Nesbit Road)

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to hire the County Engineer and the Board Attorney to draw up papers in connection with the right of way acquisitions for the two 90 degree turns on Gwynne Road. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Absent
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

Supervisor Jessie Medlin said the feels the Board should set up a priority scale for acquisition of right of ways.

3. Drainage Problems at Bridgetown Subdivision

The Road Manager said he has gotten repeated calls about drainage problems in the Bridgetown Subdivision. The Road Manager said this is an old system.

Supervisor Eugene Thach said the Board of Supervisors has already discussed this issue. Supervisor Tommy Lewis said he asked the Road Manager to bring this issue before the Board of Supervisors. The Board Attorney, William Austin was asked about the County's responsibility for drainage problems. Mr. Austin said the County cannot work on private property without an easement, or at the least, permission of some kind, unless the problem is impacting the road. Otherwise, the County should not be involved.

Supervisor Eugene Thach said if the Board votes to fix this problem, the door will be opened to others in similar situations to ask for assistance. Such assistance would require more money than the Road Department has in their budget. Also, Supervisor Thach verified that money budgeted for road use could not be used to fix drainage problems. The Board Attorney agreed the road money could not be transferred to fix drainage problems.

Supervisor Tommy Lewis said he does not want to spend more than necessary to fix the problem. Supervisor Lewis said if the County or someone is not going to take responsibility to fix the drainage problems, the Board of Supervisors should not continue to approve the underground systems.

Supervisor James Pearson asked Supervisor Thach who should fix the drainage problems, or if he thought residents should pay the expenses to fix the drainage problems. Supervisor Eugene Thach said the County should be setting up drainage districts. Supervisor John Caldwell said he does not think drainage districts are the answer to this problem.

Supervisor James Pearson said he disagrees that the County fixing the drainage problems in Bridgetown would result in a shower of requests, as this has always been the practice. Supervisor Pearson reminded the Board of Supervisors that the people did not set up the drainage systems--the County did.

Supervisor Tommy Lewis made the motion and Supervisor James Pearson seconded the motion to instruct the Board Attorney to give a legal opinion of the drainage issue and wants the opinion worded to explain where the responsibility lies for drainage when the Board of Supervisors approves drainage in a subdivision. The **motion passed** by a unanimous vote.

G. SAM RUSSELL - CLARK ODOR MPO ROAD PLAN

Merriitt Powell, Director of the DeSoto County Planning Commission and Sam Russell

presented a discussion on this item as is evidenced by the portion of the minutes submitted by the Planning Commission. **See Exhibit G.**

H. DALE THOMPSON - BUDGET AMENDMENTS, MANUAL CHECK OPERATIONS AND MAINTENANCE

1. Purchase of Pallet of Sod For the Jail

The Comptroller requested approval to pay C & C Builders \$53.50 for a pallet of sod to be used at the jail. According to Ms. Thompson, the Director of Operations has had a difficult time finding sod, but C & C Builders requires payment upon delivery. Supervisor James Pearson made the motion and Supervisor John Caldwell seconded the motion to approve payment of \$53.50 to C & C Builders for payment of

sod for the jail. The **motion passed** by a unanimous vote. **See Exhibit H.1.**

2. Request to Distribute Funds to Volunteer Fire Departments

The Comptroller, Dale Thompson requested authorization to distribute funds to the Volunteer Fire Departments as presented on Exhibit H.2. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to distribute the funds to the Volunteer Fire Departments as recommended by the Comptroller. The **motion passed** by a unanimous vote. **See Exhibit H.2.**

3. Budget Transfer Request From Purchasing

The Comptroller forwarded a request from the Director of Purchasing to transfer money from the overage left in salaries to other areas within the Purchasing budget. The Board of Supervisor agreed to defer their answer on the transfer request.

I. OLD BUSINESS

1. Distribution of Funds From Auction Sale

The Comptroller verified the Board of Supervisors did not approve moving the proceeds from the sale back into the department's budgets. The Board said they did not approve those transfer requests. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the recommendation of the Comptroller for the distribution of funds from the surplus sale/auction as presented on Exhibit I.1, Page 1. The **motion passed** by a unanimous vote. **See Exhibit I.1.**

2. Appointments

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to appointment Charles McNamara as the District 2 Planning Commission representative. The **motion passed** by a unanimous vote. **See Exhibit I.2.**

Item I., Continued,

3. Report From Committee to Inspect Phillips Road, Mahan Road, Herbert Road, and the Road located West of Craft.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the descriptions presented of Phillips Road, Mahan Road, and the previously unnamed road located west of Craft which is tentatively called Cross Road pending Planning Commission verification, and to assign the Board Attorney to get legal descriptions and to assign the County Engineer to designate the right of ways to be acquired in connection with the roads. The motion did not include Herbert Road. The **motion passed** by a unanimous vote.

Supervisor John Caldwell asked the County Administrator for verification of committees for the roads. **See Exhibit I.3.**

4. Proposed New Crossing of IC Railroad at Lake Cormorant

This item was held over in anticipation of a letter from Tom Zines of IC Railroad resulting from a meeting with the County Administrator. **See Exhibit I.4.**

5. Civil Defense - Budget Amendment

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the requested budget amendment for Civil Defense as recommended by the County Administrator:

From	001-260-402	\$7,266.00	
To	001-260-502		\$ 300.00
To	001-260-543		\$1,799.00
To	001-260-543		\$ 450.00
To	001-260-571		\$ 300.00
To	001-260-680		\$ 302.00
To	001-260-935		\$1,200.00
To	001-260-937		\$2,915.00

The **motion passed** by a unanimous vote. **See Exhibit I.5.**

6. Architect Invoices - Civic Center

The Board Attorney recommends the Board of Supervisors approve the Comptroller to pay the past due bills to Johnson Bailey Henderson McNeel in connection with the Civic Center in the amount of \$70,580.00 and \$8,786.25. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to pay the bills to Johnson Bailey Henderson McNeel as recommended by the Board Attorney from the tourism tax. The **motion passed** by a unanimous vote. **See Exhibit I.6.**

7. Complete Documents on Nursing Home

The Board Attorney, William Austin said there are several documents that must be executed in connection with the sale of the nursing home. Mr. Austin estimates having the sale closed by the next meeting of the Board of Supervisors.

Item I.7., Continued,

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Board of Supervisors' president, Supervisor John Caldwell to sign the deed and closing documents in connection with the sale of the

nursing home as recommended by the Board Attorney. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Absent
Supervisor James D. Pearson-----Yes
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

J. NEW BUSINESS

1. Add Belinda Dean as Assistant Receiving Clerk For the Sheriff's Department

Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring Belinda Dean as Assistant Receiving Clerk for the Sheriff's Department. The **motion passed** by a unanimous vote. **See Exhibit J.1.**

2. Hacks Cross Road Grant Award

The County Administrator, Clovis Reed notified the Board of Supervisors that the County has received a letter from the State Department of Economic Development stating the money has been approved for the block grant for the Hacks Cross Road project. **See Exhibit J.2.**

3. Joey Treadway - Golf Sponsorship

Clovis Reed, the County Administrator, forwarded a request from the Tax Collector, Joey Treadway, who is requesting \$100.00 for a golf tournament for the State of Mississippi Tax Collectors' Association. The state convention will be held in Tunica County. Supervisor Jessie Medlin said this could be a good chance to show the Tax Collectors what DeSoto County has to offer. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the request for \$100.00 from Advertising Resources. The **motion passed** by a unanimous vote.

4. Mazda Tax Exemption

The County Administrator, Clovis Reed forwarded a request from Jim Flanagan of the DeSoto Economic Council to approve receiving the tax exemption from Mazda and adding same into the minutes. Mr. Reed explained this was agreed upon when the Mazda facility was in the planning stages. Supervisor John Caldwell asked if the exemption was without the road and bridge tax? Clovis Reed said yes. Supervisor Eugene Thach said the Board of Supervisors agreed earlier not to grandfather these exemptions. Supervisor Tommy Lewis asked for clarification.

The County Administrator explained that this is a ten year exemption. Before Mazda decided to locate in DeSoto County, there was a memorandum of tax exemption which offered them this exemption. Mazda made application within the specified time period for the exemption.

Item J.4., Continued,

Supervisor Jessie Medlin said he does not want to go against an earlier agreement.

Supervisor Eugene Thach made the motion to approve the exemption, not excluding

the road and bridge tax exemption. The **motion died** for lack of a second.

Supervisor James Pearson made the motion and Supervisor Tommy Lewis seconded the motion to continue this item to the next meeting. The **motion passed** by a unanimous vote.

- 5. Request Authorization To Open Bids On the Following:**
- 1. 6/17/97 Package Disaster Hospital**
 - 2. 6/25/97 Pews For Justice Court**
 - 3. 6/25/97 Backhoe Loader - Central Maintenance**
 - 4. 6/25/97 Air Compressor**

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator to open bids as requested. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----	Yes
Supervisor Eugene Thach-----	Yes
Supervisor James D. Pearson-----	Absent
Supervisor John Caldwell-----	Yes
Supervisor Tommy Lewis-----	Yes

See Exhibit J.5.

Supervisor Tommy Lewis suggested the Board of Supervisors meet again before the scheduled meeting in July.

K. OTHER ISSUES

1. Supervisor Eugene Thach

a. County Insurance

Supervisor Eugene Thach verified the agreement on the insurance renewal was to look at the renewal in January or in enough time to study the issue thoroughly. The County Administrator, Clovis Reed, said that was part of the motion.

2. Supervisor Jessie Medlin

a. Housekeeping - Maxwell Building

Supervisor Jessie Medlin said the County needs to find someone to clean the Maxwell Building. According to Supervisor Medlin the previous person hired for that job quit and possibly the salary was part of the issue. Supervisor Medlin suggested the Board of Supervisors look at the pay for this job before hiring a replacement.

Item K.2., Continued,

b. Central Maintenance Satellite Barns

Supervisor Jessie Medlin suggested getting more employees and equipment at the Central Maintenance satellite barns.

3. Supervisor John Caldwell

a. MPO Highway Plan

Supervisor John Caldwell pointed out the verbal description does not mention Highway 301. Supervisor Caldwell said the Board should make sure it is clarified that the map is what is approved and not the verbal description only.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to adjust the verbal description to include Highway 301 and the new proposed Highway 304. The **motion passed** by a unanimous vote.

b. Clarification of Weight Limits

Supervisor John Caldwell said the Board of Supervisors previously asked for a clarification of weight limits and requests getting that information soon.

4. Supervisor Tommy Lewis

a. Grass Cutting at Volunteer Fire Departments

Supervisor Tommy Lewis asked the Road Manager, Kenny Gunn, how many of the Volunteer Fire Departments are getting their grass cut by the County.

Kenny Gunn said he will get a list. Supervisor Lewis said he wants a copy of the list.

5. Board Attorney, William Austin

a. Request For Conveyance of Property

The Board Attorney said he was contacted by the Honorable Joel Walker who represents the Commissioners for the Interceptor Sewer District in Horn Lake requesting the County to convey ½ acre of land where their office is located at Swinnea and Rasco Road. The Board took action in accordance with Section 19-7-3 of the Mississippi Code, Annotated, having found and determined the property is no longer needed for county or related purposes and is not to be used in the operation of the county; that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county; and, that the use of the county property for the purpose for which it is to be sold conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic, or industrial welfare thereof.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to convey the property to Horn Lake Interceptor Sewer where their building is located. The **motion passed** by a unanimous vote.

Item K., Continued,

5. Civic Center

a. Call For Petition

Just after 9:00 a.m. Supervisor John Caldwell requested that the protest period

was up for the \$35,000,000.00 bond authorization for the Civic Center. There was a call for a petition. None were presented. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to accept the resolution in connection with the bond issue for the Civic Center. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Yes
Supervisor John Caldwell-----No
Supervisor Tommy Lewis-----Yes

b. Authorization of Special Fund Balance

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Civic Center special fund balance be reimbursed out the bond proceeds with fees to be paid from the special fund balance. The **motion passed** by a unanimous vote.

L. EXECUTIVE SESSION

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session".

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until Monday, June 30, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 16th day of June, 1997, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JOHN M. M. CALDWELL, President
DeSoto County Board of Supervisors